

REMARKS

In view of the following remarks, Applicant respectfully requests reconsideration and allowance of the subject application. The amendments described in this response are consistent with 37 CFR §1.116(b) and place the 5 case in condition for allowance as suggested in the 3/2/05 final office action.

As such, Applicant respectfully requests that they be entered after the final rejection of 3/2/05.

An amendment to Fig. 1 is included to correct a simple editing error. The amendment is fully supported by the specification and does not entail 10 introduction of new matter.

This communication is believed to be fully responsive to all issues raised in the Final Office Action mailed March 2, 2005. Applicant respectfully requests that this communication be entered for purposes of appeal.

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Claim Objections

Applicant acknowledges the Office's objection to claim 1. The period (".") at the end of claim 1 was inadvertently changed to a coma ("a") in the 10/13/04 response due to a software file conversion error. No amendment 20 was intended by Applicant. The period has been restored and Applicant's intent was to maintain the period throughout prosecution of the present application.

Applicant acknowledges the Office's objection to claim 16. A software file conversion error caused ("13") to be changed to ("18") in the 10/13/04 response. No amendment was intended by Applicant. The numeral 18 has been restored and Applicant's intent was to maintain the numeral 18 5 throughout prosecution of the present application.

Applicant acknowledges the Office's objection to claim 26. Claim 26 is amended responsively.

10 **Rejections Under 35 U.S.C. §102**

Claims 1, 3, 4, 6-7, 9-17, 20-22, 24, 26-28 and 30-31 are rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,590,298 to Kawamoto. (hereinafter, "Kawamoto"). Applicant traverses these rejections.

Claim 1 is directed to a disk drive system having an array controller 15 that receives a write command from a host. Claim 1 recites:

- a write stack drive to receive said write command and to store write operations within said write command with write stack operations on a non-volatile cache memory; and
- a normal drive to receive said write command and to execute said write operations within said write command.

The office continues to assert that Kawamoto discloses these recited limitations. Applicant again respectfully submits that Kawamoto cannot anticipate (or render obvious) independent claim 1 because Kawamoto neither discloses (nor even suggests) the limitation of *a write stack drive to receive 5 said write command and to store write operations within said write command with write stack operations on a non-volatile cache memory*, as explicitly recited in claim 1. Applicant respectfully submits that the Office has failed to identify the limitations of claim 1 in the art of record. Applicant respectfully identified this deficiency in the 10/13/04 response. In order to maintain the 10 rejection, the Office attempts to dismiss the limitations stating “The write stack is a disc drive in name only.” See final office action of 3/2/05 page 5 point no. 6.

Applicant respectfully submits that the Office’s language is an admission that the art of record does not describe all of the limitations of 15 claim 1. Further, Applicant respectfully submits that the Office has provided no foundation either legal or technical for the dismissal of the limitations. Further, Applicant respectfully submits that specification and drawings as originally filed provide examples upon which claim 1 reads and which describe a write stack drive as recited in claim 1. Consistent with the goals 20 and ideals of the patent statutes, Applicant respectfully requests that the §102 rejection of claim 1 be withdrawn and that the finality of 3/2/05 office action be withdrawn. Applicant further requests that since the art of record does not describe or teach the limitations of claim 1 that claim 1 be allowed.

Claims 3, 4, 6, 7, 9-17, 20-24, 26-28, 30, and 31 are allowable for reasons similar to those described above in respect to claim 1.

5 **FURTHER ACTION**

Claims 1, 7, 17, 24, and 28 are amended and incorporate matter indicated as allowable in respective dependent claims in the 3/2/05 final office action. As such these claims and their respective dependent claims are in condition for allowance.

10 **Claim 13** contains claim limitations, which upon good faith review by Applicant, appear to be allowable. For instance, claim 13 recites limitations similar to those of allowable claim 2. Applicant respectfully requests allowance of claim 13 and its respective dependents. If Applicant has misconstrued the rejection of claim 13, Applicant requests a telephone
15 interview to discuss the rejection and a potential amendment.

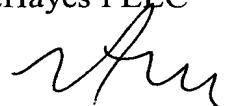
CONCLUSION

Claims 1, 3-7, 9-17, 19-24, 26-28, and 30-31 are believed to be in condition for allowance. Applicant respectfully requests reconsideration and 5 prompt allowance of the present application. Should any issue remain that prevents immediate allowance of the application, the Office is encouraged to contact the undersigned attorney to discuss the unresolved issue.

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Respectfully Submitted,
Lee&Hayes PLLC

Dated: 4/26/05



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AMENDMENTS TO THE DRAWINGS

The attached sheet of drawings includes changes to Fig. 1. This sheet replaces the original sheet comprising Fig. 1. In relation to Fig. 1, an 5 inadvertent clerical error in relation to components referenced by designators 112 and 122 is corrected. The designated components are changed from “non-volatile command stack drive” to “stack write drive”. Support for this correction is found at least at page 5, line 20 of the specification.

10 Attachments:

 Anotated sheet

 Replacement sheet

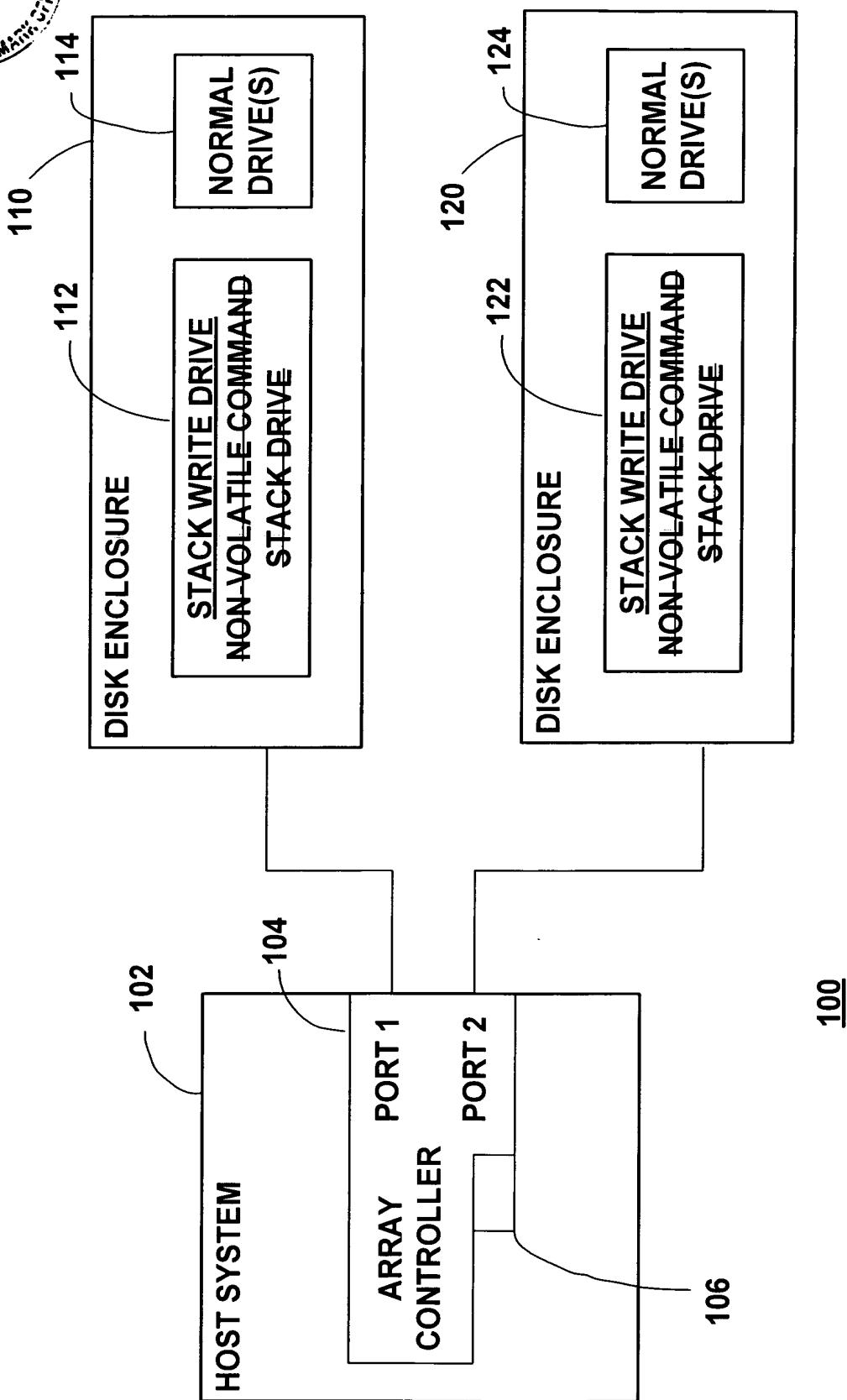


Fig. 1